

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA

FILED

OCT 05 2015

STEPHANIE J. EDMONDSON, CLERK
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF N.C.

In re: DEBORAH J. MORROW,

Debtor Pro Se,

Case No. : 15-03733-5-SWH
Debtor's Request for Hearing In Response to
Chapter 13 Trustee's Objection to Confirmation;
and Motion to Dismiss
Hearing Date: _____, 2015
Hearing Time:
Honorable : Stephani W. Humrickhouse
Trustee (13) : Richard M. Stearns
Location : 150 Reade Circle
Greenville, NC 27858

Debtor herein respectfully requests this Honorable Court consider Debtor's request to not dismiss her case due to concerns as expressed by the Chapter 13 Trustee regarding Debtor's failure to file a confirmable plan, make payments, or provide information at a 341 Meeting of Creditors held August 5, 2015.

Debtor candidly admits she did not have all information necessary to complete either a meaningful plan upon the filing of this action, nor for a meaningful August 5, 2015 Meeting of Creditors Hearing as well. Debtor was unaware claims would not be mailed to her (Department of Education and IRS) and would only be available electronically; which Debtor did not realize this oversight until September 28, 2015, and created a Pacer account.

Debtor incorrectly relied on receipt of (paper) proofs of claim by mail to assess how much to formulate a meaningful Chapter 13 plan; thus did not know amounts until September 28, 2015, despite diligent inquiry. Debtor is now "on board and up to speed" with electronic review of this case and receipt of amounts as claimed and therefore submits concurrently herewith an amended Chapter 13 Plan as follows:

Proof of Claim No. 1: \$5512.46 US Department of Education ("DOE"):

Debtor proposes she resume a payment schedule she had with DOE in the amount of \$30 a month paid through the Chapter 13 Plan beginning October 1, 2015-2020 (60 months), for a total of \$1,800.00, with the balance continued to be paid directly to the Department of Education, if still owed after payment of \$1,800.00.

Debtor has been speaking with the Department of Education (Washington, DC) negotiating either reduction or elimination of this amount since it was not for "educational tuition expenses," but rather, only incidentals of housing and meal plans from 1999-2000 academic year when Debtor returned to the University of Miami to finish her degree, but never was never able to participate due to a lung mass diagnosed before the school term, and surgical procedures which rendered Debtor too ill to attend school (complicated by Debtor's age too). Debtor's financing for the actual tuition were refunded, however, the amount Debtor has been burdened with for fifteen years was strictly for campus housing and a semester meal plan, which were not used by Debtor who was unable to attend, but nonetheless, incurred said obligation.

Debtor's discussions with DOE administrators were interrupted by the October 2013 governmental furlough with the staff never returning. Debtor has been attempting to start the negotiations and discussions again and hopefully obtain final decisions as to either extinguishment or reduction of the amount claimed. In the interim, Debtor proposes \$1,800 to settle the sum. If no agreements can be met with DOE for a reduction, then Debtor will move accordingly to amend the Plan, if needed, and will resume payments directly to DOE after completion of the Plan.

Proof of Claim No. 2: \$2331.34 Department of Treasury ("IRS"):

Debtor proposes a payment schedule of \$45.00 a month to the IRS claim paid through the Chapter 13 Plan beginning October 1, 2015-2020 (60 months), for a total estimated at \$2700.00 (including interest and fees through 2020).

Trustee Administrative Fees:

Debtor estimates a Trustee amount at ten percent (10%) of the total claims paid through the Plan of \$7843.80; with \$784.38 to be paid in the plan beginning October 1, 2015-2020 (60 months) in monthly sums of \$13.07. The monthly amounts paid through the Chapter 13 Plan would be a total of \$88.07 beginning October 1, 2015-2020 (60 months). (Debtor calculated Trustee fees based on total claimed - not actual amount proposed to be paid in Plan.)

Debtor reserves the right to amend the Chapter 13 Plan pending any further changes as directed by this Honorable Court, Trustee and/or creditors.

Debtor respectfully requests this Honorable Court not dismiss this case as Debtor has already invested not only financial, but reputational considerations. Debtor has filed this case in all good faith and fair dealings and seeks protection of this Honorable Court regarding creditor-debtor matters as will be presented.

Debtor respectfully notes to this Honorable Court she has diligently attempted and continues to attempt to secure legal representation, but to no avail; and does not want to lose valuable rights and protections waiting for representation that may or may not become available. Debtor apologizes to the judicial staff as well for having to transact with a pro se litigant; Debtor however has little to no alternatives or choices in this matter.

Respectfully submitted,

Dated: September 29, 2015

Deby Morrow
Deborah J. Morrow, Appellant Pro Se

Digitally signed by Deby Morrow
DN: cn=Deby Morrow, o=Papergate, LLC,
ou, email=papergate@aol.com, c=US
Date: 2015.09.29 20:52:05 -04'00'

VERIFICATION AND DECLARATION

I, Deborah J. Morrow, hereby declare that I am the Party in the above-entitled action and that I verify and declare I have read the foregoing and know its contents.

I further declare the matters stated therein are true of my own personal knowledge, except those matters which are stated on information and belief, as to those matters I believe to be true.

I declare under penalty of perjury under the laws of the state of North Carolina that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 29th day of September 2015, at Elizabeth City, North Carolina.

Deby Morrow

Digitally signed by Deby Morrow
DN: cn=Deby Morrow, o=Papergate, LLC,
ou=email=papergate@aol.com, c=US
Date: 2015.09.29 20:53:04 -04'00'

Deborah J. Morrow

CERTIFICATION OF SERVICE

I hereby certify that on September 29, 2015, I the undersigned served from Elizabeth City, North Carolina, the following documents on behalf of Debtor herein described as:

**Debtor's Request for Hearing in Response to Chapter 13 Trustee's
Objection to Confirmation; and Motion to Dismiss**

Said document was addressed and transmitted via U.S Mail and/or electronic delivery as follows:

Via U.S. Mail

Office of the Clerk
U.S. Bankruptcy Court/ED North Carolina
P.O. Box 791
Raleigh, NC 27602

Via U.S. Mail

Richard M Stearns, Trustee
1015 Conference Drive
Greenville, NC 27858

Deby Morrow

Digitally signed by Deby Morrow
DN: cn=Deby Morrow,
o=Papergate, LLC, ou=
email=papergate@aol.com, c=US
Date: 2015.09.29 20:52:32 -04'00'

Deborah J. Morrow